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# Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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COMMITTEE AGAINST TORTURE
Eighth session
Geneva, 27 April-8 May 1992

## PROVISIONAL AGENDA AND ANNOTATIONS

Note by the Secretary-General

1. The eighth session of the Committee against Torture will be held at the United Nations Office at Geneva from 27 April to 8 May 1992. The first meeting of the session will be convened on Monday, 27 April 1992, at 10.30 a.m.

2. In accordance with rule 6 of the rules of procedure, the Secretary-General has prepared, in consultation with the Chairman of the Committee, the attached provisional agenda for the eighth session. Annotations to the provisional agenda are also attached.

3. Pursuant to rule 31 of the rules of procedure, the meetings of the Committee will be held in public unless the Committee decides otherwise or it appears from the relevant provisions of the Convention that the meetings should be held in private.

4. The attention of the States parties is drawn, in particular, to the annotations to item 7, which contain the tentative timetable for the consideration of reports at the eighth session. In accordance with rule 66 of the rules of procedure, representatives of States parties are invited to attend the meetings of the Committee when their reports are examined.

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PROVISIONAL AGENDA

1. Opening of the session by the representative of the Secretary-General.

2. Solemn declaration by the newly elected members of the Committee.

3. Election of the officers of the Committee.

4. Adoption of the agenda.

5. Organizational and other matters.

6. Submission of reports by States parties under article 19 of the Convention.

7. Consideration of reports submitted by States parties under article 19 of the Convention.

8. Consideration of information received under article 20 of the Convention.

9. Consideration of communications under article 22 of the Convention.

10. Action by the General Assembly at its forty-sixth session:

    (a) Annual report submitted by the Committee under article 24 of the Convention;

    (b) Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights.

11. Preparatory activities relating to the World Conference on Human Rights.

12. Annual report of the Committee on its activities.

ANNOTATIONS

1. Opening of the session by the representative of the Secretary-General

The eighth session of the Committee will be opened by the representative of the Secretary-General, who will preside over the meeting until the election of the Chairman of the Committee.

2. Solemn declaration by the newly elected members of the Committee

In accordance with rule 14 of the rules of procedure (CAT/C/3/Rev.1), the five members of the Committee elected at the Third Meeting of the States parties to the Convention on 26 November 1991 will make the following solemn declaration:

> "I solemnly declare that I will perform my duties and exercise my powers as a member of the Committee against Torture honourably, faithfully, impartially and conscientiously."

3. Election of the officers of the Committee

In accordance with article 18, paragraph 1, of the Convention, and rules 15 and 16 of the rules of procedure, the Committee shall elect from among its members a chairman, three vice-chairmen and a rapporteur. The officers of the Committee shall be elected for a term of two years.

4. Adoption of the agenda

Under rule 8 of the rules of procedure, the adoption of the agenda of any session shall follow the election of officers when required under rule 15. In accordance with rule 9, during a session the Committee may revise the agenda and may, as appropriate, defer or delete items; only urgent and important items may be added to the agenda.

5. Organizational and other matters

Under this item, the Committee may wish to consider its programme of work for the session, as well as any other matter concerning the modalities of discharging its functions under the Convention.

6. Submission of reports by States parties under article 19 of the Convention

In accordance with rule 65 of its rules of procedure, the Committee at its seventh session decided to request the Secretary-General to continue sending reminders automatically to those States parties whose initial reports were more than 12 months overdue, and subsequent reminders every six months.

Initial reports under article 19 of the Convention were due in 1988 from the 27 States parties listed in document CAT/C/5. Under rule 65 of the rules of procedure, the Secretary-General is required to notify the Committee at each session of all cases of non-submission of reports. Accordingly, the two States parties whose initial reports were due in 1988 but had not been received as at 2 March 1992 are listed below:

| State party | Date on which the initial report was due |
|---|---|
| Togo | 17 December 1988 |
| Uganda | 25 June 1988 |

In this connection, the Committee may recall that, at its seventh session, it decided to invite Togo and Uganda to submit both the initial report and the supplementary reports due by 17 December 1992 and 25 June 1992, respectively, in one document. By notes verbales dated 31 December 1991, the Secretary-General brought the Committee's decision to the attention of the two States parties concerned.

Furthermore, initial reports under article 19 of the Convention were due in 1989 from the 10 States parties listed in document CAT/C/7. Pursuant to the decision of the Committee at its seventh session, the Secretary-General, by notes verbales dated 18 February 1992, requested for the fourth time the States parties which had not yet submitted their initial reports in 1989 to do so as soon as possible, for appropriate transmission to the Committee. The names of the two States whose initial reports were due in 1989 but had not been received as at 2 March 1992 are given below:

| State party | Date on which the initial report was due |
|---|---|
| Guyana | 17 June 1989 |
| Peru | 5 August 1989 |

The 11 States parties whose initial reports under article 19 of the Convention were due in 1990 are listed in document CAT/C/9. Pursuant to the decision of the Committee at its seventh session, the Secretary-General, by notes verbales sent between September and December 1991, requested for the first or the second time, as appropriate, the States parties which had not yet submitted their initial reports in 1990 to do so as soon as possible. The names of the four States whose initial reports were due in 1990 but had not been received as at 2 March 1992 are given below:

| State party | Date on which the initial report was due |
|---|---|
| Brazil | 27 October 1990 |
| Guinea | 8 November 1990 |
| Poland | 24 August 1990 |
| Portugal | 10 March 1990 |

The list of seven States parties whose initial reports under article 19 of the Convention were due in 1991 appears in document CAT/C/12. Pursuant to the decision of the Committee at its seventh session, the Secretary-General, by notes verbales dated 20 January and 18 February 1992, requested those States parties whose initial reports were overdue by more than 12 months to submit their reports as soon as possible, for appropriate transmission to the Committee. None of the initial reports which were due in 1991 has been received as at 2 March 1992. The names of the seven States parties whose reports are overdue are given below:

| State party | Date on which the initial report was due |
|---|---|
| Germany | 30 October 1991 |
| Guatemala | 3 February 1991 |
| Liechtenstein | 1 December 1991 |
| Malta | 12 October 1991 |
| New Zealand | 8 January 1991 |
| Paraguay | 10 April 1991 |
| Somalia | 22 February 1991 |

At its third, fourth, fifth and seventh sessions, the Committee decided to request eight States parties whose initial reports had been considered during those sessions to furnish an additional report pursuant to rule 67, paragraph 2, of its rules of procedure. The additional report of China which had been requested by 31 December 1990 and the additional report of the Libyan Arab Jamahiriya which had been requested by 29 February 1992 had not been received as at 2 March 1992.

The list of nine States parties whose initial reports under article 19 of the Convention are due in 1992 appears in document CAT/C/16. The list of 26 States parties whose first supplementary reports under article 19 of the Convention are due in 1992 appears in document CAT/C/17.

7. Consideration of reports submitted by States parties under article 19 of the Convention

A tentative timetable for the consideration of reports at the eighth session, prepared by the Secretary-General in consultation with the Chairman and subject to approval by the Committee, is given below:

Tuesday, 28 April 1992

| | |
|---|---|
| Uruguay (Government's replies and concluding observations of the Committee) | CAT/C/5/Add.30 |

Wednesday, 29 April 1992

| | |
|---|---|
| Luxembourg (initial report) | CAT/C/5/Add.29 |

Thursday, 30 April 1992

| | |
|---|---|
| Italy (initial report) | CAT/C/Add.9 |

Friday, 1 May 1992

| | |
|---|---|
| Romania (initial report) | CAT/C/16/Add.1 |

In accordance with rule 66 of the rules of procedure, the Secretary-General has informed the States parties concerned of the tentative dates on which their respective reports are scheduled for consideration by the Committee at its eighth session and has invited them to designate representatives to attend those meetings of the Committee.

General guidelines regarding the form and contents of initial reports to be submitted by States parties under article 19 of the Convention, which were adopted by the Committee at its third session and revised at its sixth session, are reproduced in document CAT/C/4/Rev.2. The texts of reservations, declarations, etc., made by States parties with respect to the Convention are contained in document CAT/C/2/Rev.2.

8. Consideration of information received under article 20 of the Convention

In accordance with the provisions of chapter XVII of its rules of procedure, the Committee will consider under this item information which is, or appears to be, submitted for its consideration under article 20 of the Convention.

In accordance with the provisions of article 20, paragraph 5, of the Convention and rules 72 and 73 of the rules of procedure, all documents and proceedings of the Committee relating to its functions under article 20 of the Convention shall be confidential and all the meetings concerning its proceedings under that article shall be closed.

9. Consideration of communications under article 22 of the Convention

In accordance with the provisions of chapter XIX of its rules of procedure, the Committee will consider under this item communications which are, or appears to be, submitted to it under article 22 of the Convention.

In accordance with article 22, paragraph 6, of the Convention and rule 101, paragraph 1, of the rules of procedure, meetings of the Committee or its subsidiary bodies during which communications under article 22 of the Convention are examined shall be closed.

10. Action by the General Assembly at its forty-sixth session

(a) Annual report submitted by the Committee against Torture under article 24 of the Convention*;

By its decision 46/430 of 17 December 1991, entitled: "Reports considered under the item entitled Human rights questions", the General Assembly took note of the report of the Committee against Torture.

(b) Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights.

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* Official Records of the General Assembly, Forty-sixth session, Supplement No. 46 (A/46/46).

The Committed will have before it General Assembly resolution 46/111 of 17 December 1991 and the relevant resolutions adopted by the Commission on Human Rights at its forty-eighth session.

11. Preparatory activities relating to the World Conference on Human Rights

Under this item, the Committee will consider a report by its representative to the second session of the Preparatory Committee of the World Conference (30 March-10 April 1992) on the results of that session and, in that light, any contribution that the Committee may wish to make to the third session of the Preparatory Committee to be held in September 1992.

12. Annual report of the Committee on its activities

In accordance with article 24 of the Convention, the Committee shall submit an annual report on its activities to the States parties and to the General Assembly.

At its second session, the Committee decided to adopt its annual report at the end of its spring session, for appropriate transmission to the General Assembly during the same calendar year. Accordingly, the annual report to be submitted to the General Assembly at its forty-seventh session will include the activities of the Committee at its seventh and eighth sessions.

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